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The 10th February 1880.

No. 289.—In conformity with Chief Commissioner's Notification No. 267, dated 16th January 1880, permitting him to retire from the service from 1st instant, Mr. Ganesh Singh, Assistant Commissioner, Chitaldroog District, delivered over charge of his office to Mr. Abdul Khader, Khan-Bahadur, Deputy Commissioner, on the afternoon of the 31st January 1880.

No. 290.—The undermentioned Medical Subordinates have been passed by a Board of Examiners at Bangalore :—

3rd Class Hospital Assistants.	E. B. Govindarajulu Naidu, No. 1 P. Etirajulu Naidu, No. 2	as 2nd Class Hospital Assistants.

The 12th February 1880.

No. 291.—Lieutenant-Colonel R. C. Stewart, Military Assistant to the Chief Commissioner, returned from the privilege leave granted to him in Notification No. 254, dated 26th December 1879, on the morning of the 8th instant.

By Order,

W. J. CUNINGHAM,
Secretary.

REVENUE DEPARTMENT.

NOTIFICATIONS.

The 29th January 1880.

No. 59.—Notice is hereby given that the undermentioned Forests and Plantations in the Nundydroog Division are closed for the hot season, from the 1st proximo, and sportsmen are not allowed to enter them except under special permission from the Assistant Conservator :—

Forests.	*Taluk.*
Bilikalbetta	Kaivanhalli.
Raghalli	Anekal.
Savandurga	Magadi.
Devaraydurga	Túmkúr.
Nandi Forest	Chikballapur, &c.
Maddagiri	Maddagir
Plantations.	
Kadgodi, Jadigenhalli, Nelal, Apsandra	Hoskote.
Marsandra, Kavandhalli	Malur.
Kempanhalli Fuel Reserve and Bengamur	Betmangala.
Chik Hosaradi, Dod Hosaradi	Devanhalli.
Kumbalgud Fuel Reserve	Magadi.

Mysore Opium Rules.

The 4th February 1880.

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No. 64.—In exercise of the powers conferred by Sections 5 and 13 of the "Opium Act I of 1878," the Chief Commissioner has made the following Rules, which have received the sanction of the Governor General in Council, and are now published as required by the Act. They apply to the whole of the Territories administered by the Chief Commissioner of Mysore, and shall come into force from the 1st April 1880 :—

Interpretation-clause.

I.—In these Rules, unless there be something repugnant in the subject or context,—

(1) "Chief Commissioner" means the Chief Commissioner of Mysore :

(2) "Commissioner" means the Commissioner of Revenue for the Division :

(3) "Deputy Commissioner" means the Deputy Commissioner of a District, including any Assistant Commissioner duly authorized by a Deputy Commissioner to exercise all or any of the powers or duties conferred or imposed on a Deputy Commissioner by these Rules :

(4) "Farmer" means a person who has obtained a farm from the Deputy Commissioner under Rule XVII :

(5) "Licensed vendor" means a person who has obtained a license for the sale of opium by retail under Rule XIV or XVIII :

(6) "The sale of opium by retail" means the sale of any quantity of opium not exceeding three tolas. Any other sale is a wholesale sale :

(7) "Medical practitioner" means a person to whom a special license has been granted under Rule VII :

(8) The word "Opium" has the meaning assigned to it in the Opium Act I of 1878, except that it does not include "poppy-heads" :

(9) "Poppy-heads" means the dry capsules of the poppy plant :

(10) The words "Import," "Export," and "Transport" have the respective meanings assigned to them in the Opium Act I of 1878.

Cultivation.

II.—The cultivation of the poppy under special licenses granted with the permission of the Chief Commissioner in very exceptional cases, and under such conditions and restrictions as the Chief Commissioner may consider necessary, is permitted.

Manufacture.

III.—The manufacture of preparations or admixtures of opium by a licensed vendor for retail sale, or for wholesale sale to another licensed vendor, or to a medical practitioner, is permitted.

Possession.

IV.—Any person may have in his possession three tolas of opium, provided that such opium has been purchased from the Government or from a farmer, licensed vendor, or medical practitioner.

V.—The possession of more than three tolas of opium by a farmer, licensed vendor, or medical practitioner is permitted.

VI.—With the sanction of the Commissioner, the Deputy Commissioner may specially authorize the possession by any person of a quantity of opium not exceeding one seer.

VII.—The Deputy Commissioner may grant to any medical practitioner residing within his district a special license in Form I appended to these Rules, or in such other form as may from time to time be prescribed by the Chief Commissioner for the possession of opium, and the sale of opium by retail for medical purposes only : Provided that such medical practitioner shall not have in his possession at one time more than one seer of opium.

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Transport.

VIII.—When a farmer or licensed vendor desires to transport opium, he shall obtain for each consignment a pass from the Deputy Commissioner in such form as the Chief Commissioner may from time to time prescribe.

The pass shall specify—

(1) the time within which the transport must be effected ;
(2) the place from which the consignment is to be transported ;
(3) the name of the person in charge of the consignment ;
(4) the name of the consignee ;
(5) the number of packages, and the weight and contents of each ; and
(6) the place to which the consignment is to be transported.

Each package in every such consignment shall be stamped by, or in the presence of, the officer granting the pass, with his official seal.

IX.—The bulk of a consignment shall not be broken during transport.

X.—The Deputy Commissioner may, at his discretion, or under orders from the Commissioner, make it a condition of the pass that the bulk of the consignment for which it is granted shall not be broken after arrival at its destination as specified in the pass, until after the consignment shall have been examined by an officer deputed or authorized by the Deputy Commissioner for that purpose : Provided that such examination shall be made within seven days from the date on which the Deputy Commissioner is informed of the arrival of the consignment.

XI.—If any officer competent to exercise the powers of seizure, detention and search under Sections 14 and 15 of the Opium Act, finds that the packages are fewer, or the amount of opium less (by more than the dryage allowance of one-quarter per cent) than the number or amount specified in the pass, he shall immediately report the circumstances to the Deputy Commissioner, who will decide whether a prosecution shall, or shall not, be instituted.

Import.

XII.—The import of opium on account of Government is permitted on the condition—

(*a*) that the opium is covered by a pass granted by the Opium Agent at Indore ;
(*b*) that an import duty of not less than the amount payable on opium passed for export by sea from Bombay has been levied on each chest of opium for which a pass is required.

Sale.

XIII.—Opium in quantities of not less than one seer shall, on pre-payment at such rates as the Chief Commissioner may from time to time prescribe by Notification in the *Mysore Gazette*, be supplied by the Deputy Commissioner to any farmer, licensed vendor, or medical practitioner. No opium shall be sold by wholesale or retail which has not been bought from the Deputy Commissioner or from a licensed vendor. No opium shall be sold wholesale, except under special order from a Deputy Commissioner, or as next hereinafter provided. A licensed vendor or farmer may sell any quantity of opium to another licensed vendor or farmer, and a quantity not exceeding one seer of opium, to a medical practitioner.

XIV.—Licenses for the sale of opium by retail may be granted by the Deputy Commissioner with the previous sanction of the Commissioner. Such limited number of shops for the retail vend of opium as the Commissioner may from time to time decide shall be allowed, in each district, and the monopoly of retail vend at such shops shall be sold for such fee as the Chief Commissioner may fix, or put up to auction at the commencement of each official year. The shops shall be disposed of singly or in groups as the Deputy Commissioner shall direct.

XV.—Licenses for the sale of opium by retail shall be in Form II appended to these Rules, or in such other form as may from time to time be prescribed by the Chief Commissioner.

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XVI.—Licenses for the sale of opium by retail shall be granted for one year only; unless the Chief Commissioner shall otherwise specifically direct.

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XVII.—With the sanction of the Commissioner, the Deputy Commissioner may farm the duties leviable on the sale of opium by retail, for a term not exceeding two years, and, with the sanction of the Chief Commissioner, for a term not exceeding five years. The Chief Commissioner may prescribe conditions subject to the provisions herein contained—

(*a*) for the invitation and acceptance of tenders for the farm of such duties;

(*b*) as to the form and conditions of the leases; and

(*c*) for the requisition of security for the due fulfilment of the engagements entered into by the farmers.

Any breach of such engagement shall, over and above any other penalty, subject the lease to annulment by the authority by whom the farm was granted.

XVIII.— When such duties are farmed, the farmer may issue licenses for the manufacture and sale of opium by retail within the limits of his farm. Such licenses shall be countersigned by the Deputy Commissioner, and shall then have the force of a license issued by the Deputy Commissioner in Form II, and shall contain Conditions 2, 3, 4, 5, and 8 of Form II annexed to these Rules, and may be cancelled at the discretion of the Deputy Commissioner for the breach of any of these conditions.

XIX.—Before entering into engagement for the farm of such duties, the Deputy Commissioner may, with the sanction of the Commissioner, make such reservations or restrictions with respect to the grant of licenses by the farmer as he thinks fit.

XX.—Every farmer shall file in the Deputy Commissioner's Office in such form as may from time to time be prepared by the Commissioner a list of all licenses granted by him.

XXI. With the sanction of the Chief Commissioner obtained through the Commissioner, the Deputy Commissioner may cancel any lease granted under Rule XVII, or may, within the period of such lease, impose any new reservation and restriction on the farmer.

XXII.—If a lease be cancelled for any cause other than a breach of the engagements entered into by the farmer, or if any reservation or restriction with respect of the grant of licenses be imposed under Rule XXI during the lease, the Chief Commissioner may award to the farmer compensation for any loss thereby caused to him.

XXIII.—If any licensed vendor or farmer shall, on the expiry of his license or farm, have in his possession any opium which he is unable to dispose of to the satisfaction of the Deputy Commissioner by private sale to other licensed vendors or farmers, he shall surrender the same to the Deputy Commissioner; and the incoming licensed vendor or farmer, or, if the expired license or farm is not renewed, any licensed vendor or farmer within the district, shall, when required by the Deputy Commissioner, be bound to purchase the opium aforesaid to the extent of two months' supply at such price, and in such quantities, as the Deputy Commissioner shall adjudge: Provided that the price of the articles thus adjudged shall in no case exceed the rate at which opium can be procured from the Government; provided also that if such opium be declared by the Civil Surgeon to be unfit for use, the Deputy Commissioner shall cause the same to be destroyed.

General.

XXIV.—Except where otherwise especially provided in the foregoing Rules, the possession, transport, import, or sale of opium by, or on behalf of, the Government shall be unrestricted.

XXV.—The possession, transport, import, or sale of poppy-heads is permitted.

Disposal of things confiscated.

XXVI.—Opium confiscated under the "Opium Act I of 1878" shall be examined by the Civil Surgeon, and, if declared by him to be fit for use, shall be sent to the nearest Government Treasury, and be disposed of as the Commissioner may direct. If declared to be unfit for use, it shall be immediately destroyed.

XXVII.—All property other than opium which is confiscated under the said Act shall be sold under the orders of the Magistrate or other officer by whom the confiscation was adjudged.

Rewards.

XXVIII.—Any Magistrate convicting an offender under Section 9, or any Magistrate or other authorized officer ordering the confiscation of opium under Section 12 of the "Opium Act I of 1878," may grant a reward, not exceeding the value of the opium confiscated, plus the amount of any fine realized, in such proportions as he may think fit, to any person or persons who have contributed to the seizure of the opium or the conviction of the offender.

XXIX.—If in any case the fine or forfeiture is not realized, the Deputy Commissioner may sanction such reasonable reward, not exceeding the amount of the fine and forfeiture, as may seem appropriate. The Chief Commissioner may also, by general order, declare what classes of Excise officers shall receive rewards, and what classes shall have no title to share therein.

FORMS.

I.—Special license to Medical Practitioner under Rule VII.

Special license granted to following the profession of at in the District of for the sale of opium by retail, on the condition that the said shall not have in his possession at one time more than one seer of opium, and that such opium shall be procured from the Deputy Commissioner's Office, or a licensed vendor or farmer, and shall be used *bonâ fide* as medicine or in medical preparations or prescriptions.

DISTRICT.
DATED.

II.—License for the sale of Opium by retail (general.)

District,—
No. of license in register,—
Name of vendor,—
Locality of shop,—
Be it known that——, resident of township or village, district of is hereby authorized by the Deputy Commissioner of to sell opium by retail and wholesale, under the provisions of Rule XIII* of the Mysore Opium Rules, to another licensed vendor, or to a medical practitioner licensed under Rule VII† of those Rules, at in from the date of this license to the day of 18 upon the following conditions :—

1. That he shall pay to Government a quarterly duty of

2. That he shall not receive any wearing apparel or other goods in barter for opium.

3. That he shall not open his shop, or make sales therein, before sunrise ; that he shall not keep it open, or make sales therein, after 9 P. M.; and that he shall not harbour any person therein during the night.

4. That he shall not permit persons of notoriously bad character to resort to his shop ; that he shall prevent gaming and disorderly conduct therein ; and that he shall give information to the nearest Magistrate or Police officer of any suspected person who may resort to his shop.

5. That he shall have constantly fixed up, at the entrance of his shop, a signboard bearing the following inscription, in legible characters, in the vernacular language :—

(Name of Vendor).

"Licensed to sell opium by retail."

6. That if he buy less than , which is the quantity estimated to be sold by retail in each month, he shall, if required, explain the reason of the falling-off to the Deputy Commissioner.

* XIII.—Opium in quantities of not less than one seer shall, on pre-payment at such rates as the Chief Commissioner may from time to time prescribe by Notification in the *Mysore Gazette*, be supplied by the Deputy Commissioner to any farmer, licensed vendor, or medical practitioner. No opium shall be sold by wholesale or retail which has not been bought from the Deputy Commissioner or from a licensed vendor. No opium shall be sold wholesale except under a special order from a Deputy Commissioner, or as next hereinafter provided. A licensed vendor or farmer may sell any quantity of opium to another licensed vendor or farmer, and a quantity not exceeding one seer of opium to a medical practitioner.

† VII.—The Deputy Commissioner may grant to any medical practitioner residing within his district a special license in Form I appended to these Rules, or in such other form as may from time to time be prescribed by the Chief Commissioner for the possession of opium, and the sale of opium by retail for medical purposes only : Provided that such medical practitioner shall not have in his possession at one time more than one seer of opium.

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7. That he shall keep up daily an account in the following form shewing the receipts and deliveries of opium at his shop each day, and the balance in store :—

Date.	Quantity of opium in store from yesterday.	Quantity of opium received this day, and whence received.	Total quantity to be accounted for.	Quantity used in the preparation of.	Quantity sold this day.	Quantity left in store.

8. That he shall immediately produce his license and accounts for inspection on the demand of any officer of any of the Departments of Excise, Police, Customs, Salt, Opium, or Revenue, superior in rank to a peon or constable, and that he shall not prevent any such officer of whatever rank from entering his shop at any hour of the day or night.

9. This license shall have effect from to , and unless renewed by the order of the Deputy Commissioner by the day of being the expiration of the period for which it was granted, shall cease to remain in force, notwithstanding that a special order recalling it has not been issued by the Deputy Commissioner.

10. This license may be recalled by the Deputy Commissioner—

(*a*) for default of punctual payment of the duty stipulated to be paid in Clause I ;

(*b*) for violation of any of the conditions specified in this license ;

(*c*) if the holder of this license be convicted of breach of the peace or any other criminal offence.

Should the license be recalled for any of these causes, the license-holder shall have no claim to any compensation whatever, or to any refund of any duty, or instalment of duty, already paid. But it shall be in the discretion of the Deputy Commissioner to make such compensation or refund, should he consider it necessary or advisable to do so.

Should the Deputy Commissioner desire to recall this license before the expiry of the period for which it has been granted, for any cause other than those hereinbefore specified, (*a*) (*b*) and (*c*), he shall give fifteen days' previous notice, and remit a sum equal to the duty for fifteen days, or, if notice be not given, shall make such further compensation, in default of notice, as the Chief Commissioner may direct.

11. This license may be surrendered by the license-holder on his giving one month's notice to the Deputy Commissioner and paying such fine, not exceeding the amount of the duty for six months, or the loss caused to Government by the failure to carry out any condition imposed, as the Deputy Commissioner may adjudge.

Should the Deputy Commissioner be satisfied that the reason for surrendering the license is adequate, he may, with the sanction of the Chief Commissioner, remit the fine.

12. On the infringement of any of the above articles or of any conditions imposed by the Opium Act, 1878, or by the Rules made thereunder, this license, and any other license or licenses that the holder may have obtained for the sale of opium, shall be forfeited.

By Order,

C. RANGACHARLU,
Revenue Secretary.

(*a*) Counterpart of this will be signed by the license-holder and deposited in the Deputy Commissioner's Office.